

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

UNITED STATES OF AMERICA,

Plaintiff,

v.

2008-CR-0012-02

LESTER ROBERTS,

Defendant.

**TO: Allan F. John-Baptiste, Esq., AUSA
Eszart A. Wynter, Sr., Esq.**

ORDER

THIS MATTER came before the Court upon the Government's Motion to Revoke Defendant's Conditions of Release (Docket No. 119). A hearing was held August 14, 2009. Allan F. John-Baptiste, Esq., represented the government. Eszart A. Wynter, Sr., Esq., appeared on behalf of Defendant Lester Roberts. Defendant Lester Roberts also was present.

Having heard the testimony of the witnesses and arguments of counsel and upon due consideration of all of the evidence presented, the Court finds that the government has failed to meet its burden of demonstrating that said Defendant has committed a violation or violations of any conditions of his release by a preponderance of the evidence.

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Consequently, the Court declines to recommend revocation of his release to the District Judge.

Accordingly, Government's Motion to Revoke Defendant's Conditions of Release (Docket No. 119) is **DENIED**.

ENTER:

Dated: August 14, 2009

/s/ George W, Cannon, Jr.

GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE